IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

TUESDAY, THE 18TH DECEMBER, 2007 / 27TH AGRAHAYANA, 1929

RFA.No. 495 of 2006 (B)

(OS.127/1999 of PRINCIPAL SUB COURT, N.PARAVUR)
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APPELLANT/DEFENDANT:

VALSALA (TEACHER), AGED 55,
W/O.RAJAN, VETTUVANTHARA, KUNJITHAI MURI,
VADAKKEKARA VILLAGE.

BY ADV. SRI.B.JAYASANKAR

RESPONDENT/PLAINTIFF:

RADHAKRISHNAN,
S/O.KOCHUNNI, KUTTIPILLYSSERY,
CHERAI KARA, PALLIPURAM VILLAGE.

BY ADV. SRI.T.R.ASWAS
SRI.ANIL KUMAR SREEDHARAN

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD

ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE

FOLLOWING:

P.R.RAMAN & V.K.MOHANAN, JJ.

R.F.A.No. 495 of 2006 - B

Dated this the 18th day of December, 2007

J U D G M E N T

Raman,J:

The suit is for specific performance and for consequential injunction. The court below decreed the suit and directed the defendant to execute the sale deed in respect of the plaint schedule property within a period of thirty days. Aggrieved thereby, the defendant has preferred this appeal. During the pendency of this appeal, the parties have compromised the matter and a joint compromise statement is filed under Order XXIII Rule 3 of the Code of Civil Procedure. The compromise petition is signed by the parties and their counsel. Accordingly, the compromise is recorded. The appeal is allowed setting aside the decree. One half of the court fee shall be refunded to the appellant. The joint compromise statement shall be annexed to this judgment.

P.R.RAMAN,
Judge

V.K.MOHANAN,
Judge

Mbs/

V.K.MOHANAN, J.

O.P.NO. OF 2001

J U D G M E N T

DATED: -0-2007